

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TYRICKA MIDDLETON,

Defendant.

2:11-CR-340-PMP-CWH

**ORDER OF CLARIFICATION  
REGARDING SENTENCE**

On December 29, 2014, the Court conducted a hearing to consider Defendant's Request that the Court write a letter further clarifying whether Defendant Tyricka Middleton should be required to register as a sex offender.

Melanie Hill, Esq., counsel for Defendant Tyricka Middleton, explained that she had been advised by representatives of the Sex Offender Registry of the Nevada Criminal History Repository that Defendant Tyricka Middleton was not currently required to register as a sex offender, but that the Nevada Criminal History Repository Sex Offender Registry wanted written verification of this Court's order pertaining to such registration.

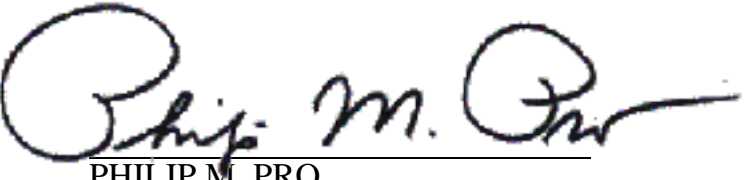
However, as the Court and Government counsel noted at the hearing on December 29, 2014, the question of whether any individual is required to register on a sex offender registry is a matter of state law, not federal law. Hence, this Court has no authority to bind any state agency, in Nevada, or otherwise with respect to whether Tyricka Middleton is required to register in Nevada.

Nonetheless, the Court went to great lengths at the time of sentencing Tyricka Middleton on February 10, 2014, to ensure that no federal law requirement was imposed on her

1 requiring her to register as a sex offender. The reasons for this order are clearly set forth in the  
2 transcript of the sentencing proceedings conducted February 10, 2014. The Court here  
3 reiterates its view that Tyricka Middleton is a victim of long-term sexual abuse, and not a  
4 perpetrator of offenses which might warrant her being required to register as a sex offender in  
5 any jurisdiction. Certainly this Court's view is not binding on any state agency, but is offered  
6 for consideration by such state authorities as may have decision making authority regarding  
7 such registration.

8 **IT IS THEREFORE ORDERED** that counsel for Defendant Middleton may  
9 transmit a copy of this Order of Clarification of Sentence, together with a copy of the transcript  
10 of the sentencing proceedings conducted February 10, 2014, to the Nevada Criminal History  
11 Repository, Sex Offender Registry for its consideration.

12 DATED: January 12, 2015.

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15 PHILIP M. PRO  
16 United States District Judge  
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